

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	<b>THOMAS W. OLICK</b>	:	<b>Chapter 13</b>
		:	
	<b>Debtor</b>	:	<b>Bky. No. 07-10880 ELF</b>
		:	
<hr/>			
<b>THOMAS W. OLICK,</b>		:	
		:	
	<b>Plaintiff</b>	:	
		:	
	<b>v.</b>	:	
		:	<b>Adv. No. 10-038</b>
<b>WILLIAM C. HOUSE,</b>		:	
		:	
	<b>Defendant</b>	:	
		:	
<hr/>			

**ORDER**

**AND NOW**, upon consideration of Plaintiff's Motion for Entry of Default Judgment (Doc. # 59) ("the Motion"), it is hereby **ORDERED** that:

1. The Motion is **DENIED**.<sup>1</sup>
2. The Defendant shall file an Answer to the Complaint **on or before April 10, 2013**.<sup>2</sup>



**Date:** **March 20, 2013**

---

**ERIC L. FRANK**  
**CHIEF U.S. BANKRUPTCY JUDGE**

---

<sup>1</sup> The Motion is based on the faulty premise that the Defendant's time to respond to the Complaint has passed. In fact, the court granted the Defendant an extension of time to respond to the Complaint, (see Doc # 13). The Defendant then filed a motion to dismiss the complaint (a de minimis) one day after the deadline. Thus, entry of a default judgment for failure to respond to the Complaint would be totally inappropriate.

<sup>2</sup> This court granted the Defendant's motion to dismiss the complaint. After an appeal, the district court affirmed in part, but reversed the dismissal of the Complaint as to the Plaintiff's claims in Counts I and III relating to the Defendant's prior representation of the Plaintiff in the NASD proceedings. Thus, it is appropriate for the court to set a deadline for the Defendant to file an answer to the complaint, insofar as it has survived the motion to dismiss.